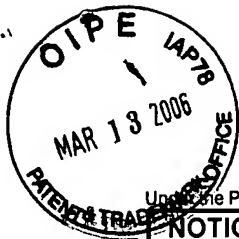


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PTO/SB/31 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**
Docket Number (Optional)
02427/100F509-US1

 In re Application of
 Alessandra D'azzo et al.

 Application Number
 10/014,774-Conf. #9922

 Filed
 October 29, 2001

For PROTEIN SPECIFIC FOR CARDIAC AND SKELETAL MUSCLE

 Art Unit
 1652

 Examiner
 C. L. Fronda

 Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

 The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500.00
☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

 \$ 250.00
☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 04-0100. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

I am the

☐ applicant /inventor.

☐ assignee of record of the entire interest.
 See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

☒ attorney or agent of record.

 Registration number 52,392
☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. _____

Signature

Paul M. Zagar

 Typed or printed name
 (212) 527-7700

Telephone number

March 13, 2006

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of 3 forms are submitted.

Express Mail Label No. _____ Dated: _____

03/16/2006 TBESHAH1 00000019 10014774

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